

**UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY**

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

THOMAS S. LARSON
SUPERVISING PROBATION OFFICER

March 2, 2010

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Dennis M. Cavanaugh, USDJ
Martin Luther King, Jr.
Federal Building and Courthouse
P.O. Box 0999
Newark, NJ 07102-0999

RE: Smith, William S.
Dkt No.: 05-00712-001
Non-Compliance Report and
Request for Order to Produce Documents

Dear Judge Cavanaugh:

On January 10, 2006, Your Honor sentenced Williams S. Smith to sixty months imprisonment, four years supervised release, and a \$1,000 fine for his involvement in Distribution and Possession with Intent to Distribute More Than 5 Grams of Cocaine Base. Special conditions include drug testing/treatment, financial disclosure, no new debt and the collection of DNA. On September 8, 2008, Your Honor denied a request to reduce the sentence pursuant to 18 U.S.C. § 3582(c)(2). Smith has been supervised since his release from custody on August 4, 2009.

The purpose of this letter is to report non-compliance and request that Your Honor sign an Order to Produce recorded telephone conversations from the Bureau of Prisons (BOP) - FCI Otisville, FCI Morgantown, FCI Beaumont and FCI Fort Dix. A review of BOP records revealed that Smith has maintained regular telephonic contact with John Davis, Hakiem McCombs, Fontaine Brown, and Hasan Johnson. Davis and Brown were sentenced in the District of New Jersey for narcotics offenses. McComb is Smith's co-defendant. Johnson was sentenced in the District of Pennsylvania for a weapons offense. Except for McCombs, we are uncertain at this time what Smith's connection is to these individuals.

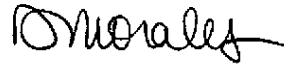
Records provided by the BOP indicate Smith is listed on the inmates' telephone list as a "friend." The records also indicate that Smith accepted forty calls from them between August 29, 2009, and February 19, 2010. The conversations between Smith and the inmates were recorded and are available for up to six months, however, the BOP cannot release them without Court authorization.

The Probation Department believes that the context of the Smith's conversations with these inmates are relevant to making an appropriate recommendation regarding any subsequent violations. Once we have received and reviewed all relevant information pertaining to the telephone calls, we will report our findings. Please note that Smith has repeatedly denied any contact with his co-defendants or any other inmates/convicted felons. We also note that Smith accepted several telephone calls from co-defendant Dexter Green; however, those telephone calls will expire in a few days.

Enclosed are Orders to Produce the recorded telephone conversations from each correctional institution. If you have any questions, please contact the undersigned at (973)357-4090.

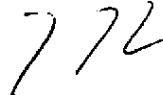
Respectfully Submitted:

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer



By: Denise Morales
U.S. Probation Officer

/dm

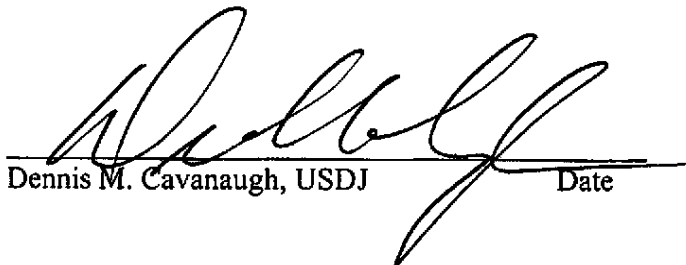


The Court directs the following:

☐ Take no action

☒ Order to Produce (attached)

☐ Other:



Dennis M. Cavanaugh, USDJ Date